

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICORECEIVED & FILED
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U.S. DISTRICT COURT
SAN JUAN, PR

LATIN AMERICAN MUSIC CO., INC., *
ET AL., *
Plaintiffs, *
v. *
THE ARCHDIOCESE OF SAN JUAN *
OF THE ROMAN CATHOLIC AND *
APOSTOLIC CHURCH, ET AL., *
Defendants, *

CIVIL NO. 96-2312 (PG)

TURABO RADIO CORP., ET AL., *
Plaintiffs, *
v. *
ASOCIACION DE COMPOSITORES Y *
EDITORES DE MUSICA *
LATINOAMERICANA, INC., ET AL., *
Defendants, *

CIVIL NO. 97-2356 (PG)

TURABO RADIO CORP., ET AL., *
Plaintiffs, *
v. *
PEER; PEER, ET AL., *
Defendants, *

CIVIL NO. 98-1597 (PG)

PEER INTERNATIONAL CORPORATION, *
ET., AL., *
Plaintiffs, *
v. *
LATIN AMERICAN MUSIC CO., INC., *
THE ARCHDIOCESE OF SAN JUAN, *
ET., AL., *
Defendants. *

CIVIL NO. 97-2875 (PG)

ORDER OF REFERENCE TO SPECIAL MASTER

The Court hereby appoints Morton David Goldberg, Esq., to be the Special Master in Case No. 96-2312 (PG) and consolidated Cases No. 97-2356, and 98-1597, 97-2875. Fed. R. Civ. P. 53 governs the behavior and powers of the a special master. The special master shall be compensated equally between the parties. See Fed. R. Civ. P. 53 (a). The present copyright cases are complicated and extremely fact intensive, thus warranting the use of a special

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(11) Done

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master. See Fed. R. Civ. P. 53 (b). The special master "has and shall exercise the power to regulate all proceedings in every hearing before the master and to do all acts and take all measures necessary or proper for the efficient performance of the master's duties under the order." *Id.* at 53(c). "The master may require the production before the master of evidence upon all matters embraced in the reference, including the production of all books, papers, vouchers, documents, and writings applicable thereto. The master may rule upon the admissibility of evidence unless otherwise directed by the order of reference and has the authority to put witnesses on oath and may examine them and may call the parties to the action and examine them upon oath. When a party so requests, the master shall make a record of the evidence offered and excluded in the same manner and subject to the same limitations as provided in the Federal Rules of Evidence for a court sitting without a jury." *Id.*

The Court hereby directs Gordon David Goldberg, Esq., ("Special Master") as follows.

- I. Ownership: The Special Master shall go through the submitted documentation for all the songs at issue in 97-2875 (PG) to ensure that the Court's preliminary holding that Plaintiffs (in 97-2875 (PG)) are the owners of the copyrights for these songs.
- II. Infringement: The Special Master shall issue a recommendation as to infringement for the songs owned by Plaintiffs

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A. He shall verify:

1. Authorship; Ownership; Compliance with statutory formalities

B. He also shall determine:


1. Unauthorized public performance or infringement of exclusive rights

III. The Special Master shall look into the Defendants' allegations regarding the lack of or missed royalty payments and its relation to these cases.

IV. SPACEM: The Special Master shall verify ownership by Plaintiffs and infringement by Defendants.

IT IS SO ORDERED.

San Juan, Puerto Rico, March 6, 2003.


JUAN M. PEREZ-GIMENEZ
U.S. District Judge